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### **Civil society is different and it does make a difference**

So, how do you do good in your world? Do you volunteer? Do you raise money? Do you donate money? Do you donate your knowledge and time? Have you ever organised a group of people to make something happen. Have you ever participated in a social movement or a collective social action? Have you ever protested against anything you do not agree with? Have you ever established a new association, that has changed your life and the life of many people? Keep doing those things. Those actions are at the heart of civil society. *They all make our democracy work.*

What is my intention in delivering this lecture? The situation in different countries along the Danube is different, of course, but in many countries the representations about society predominantly dwell upon a dual model: instead of the three sectors: the state, the private and the civil sector, there are only two of them: the public and the private sector.

Moreover, when laws are formulated no matter what we do, the civil sector is rarely taken into account. Nevertheless the civil sector, "the civil society plays a highly unique role with great responsibility in our societies(...) By acting as a counterpart to the state and the market, it steps in where the public and private sectors fall short or even fail (...) When minorities are discriminated civil organisations foster dialogue. Where political systems lack information civil society organisations aggregate information for them. Civil society organisations tackle such deficiencies through advocacy, community building and service delivery, civil society exerts a major

influence and makes a significant contribution to stable and just societies and states”<sup>1</sup>

Civil society is not just a sum of civil society organizations; it has its political dimension, volunteering, and informal activities. It is extremely diverse in general and in each of the Danube countries.

The legislation regulating civil society organisations has never been quite clear about what a civil society organisation is and about how it differs from a company or if it differs at all. In many countries there is no clear common and unique definition of a civil society organisation. Slovenian ministries for instance use quite different definitions adapted to their respective area of work.

The situation is not clear as concerns the tax framework and the competition among civil society organisations for public funding. So real social society organisations have to compete for public funding with those established by companies. In some civil law systems an association is considered as a special form of contract. The Civil Code of Germany contains different regulations for registered non-profit and for profit associations regarded as juristic persona. And for not necessarily registered associations by contract (Gesellschaften, articles 705 to 740.

### **What is civil society , what is active citizenship**

Civil society? The term describes a form of *social organisation* that is neither simply economic nor political, where *democracy, freedom* and widespread *solidarity* are essential regulatory concepts. In civil society we are expected to build and maintain an *active relationship with society*.

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<sup>1</sup> Meyer, M. (2017) Civil Society in Central and Eastern Europe: Challenges and Opportunities, Preface. Vienna: Erste Foundation.

Furthermore, civil society is closely connected to what we call *active citizenship*, there is an essential difference between citizenship, which we are born with, which is given to us and which connects us with the State. Active citizenship is not a fact, it is not given. Much the contrary, it has to be gained, nurtured, and shaped throughout life. *It is a lifelong process that connects us with society.* Active citizenship means constructing society in different domains: social relationships, culture, economy, technological development, climate change, environmental protection, etc. (Korsgaard et al., 200, Marshall, 1977 )

### **The concepts of civil society differ a lot**

It is helpful to study the different concepts of civil society, to see to what extent they have been taken into account in the legislation in different countries and to struggle for its improvement.

The concepts of civil society differ a lot, but they have perhaps one element in common. It has been agreed that *civil society is mostly about freedom.*

In the late 17<sup>th</sup> when John Lock was convinced the civil realm was necessary for political and economic freedom.

Alexis de Tocqueville in *Democracy in America* believed that the independence of this realm was the basis of everything.

Kant translated civil society as *Bürgerliche Gesellschaft*. Literary this meant a society of *Bürgers*, the townspeople. It was also a synonym for the capitalist middle class which respected formal rules, not pursuing some utopian conception of good.

For Karl Marx civil society was not necessary (since it opened up the room for greed). Marx believed the State could unite people. Thus the State became of overwhelming importance.

In the Danube countries the concept of civil society was essentially connected with the national States of the 19<sup>th</sup> century and then after the Second World War in most countries civil society disappeared. So it was considered as an ideal. **In 1990 Polish and Hungarian intellectuals** were celebrating the return of civil society as an ideal not as a social fact. They were wrong. This learning came as a cold shower. In those days people learned that civil society was not only anti-civilian and anti-military.

In the 20<sup>th</sup> century Eastern **European intellectuals** reintroduced civil society to social theory. Before that it had been considered as *a conservative out-dated notion*.

(1) Today, civil society is above all considered as a space, an arena between the household and the State, the space in which the State does not intervene.

(2) It is defined as "all relationships, that are between individuals, families, different social, economic, cultural, religious structures in which the State does not intervene or at least should not intervene". The relationships are auto regulated and are by no means regulated by the State.

(3) Another definition of civil society is »Civil society is what is left, if the State is excluded). In civil society there is mostly everything what is between individuals and the State; family, societies, voluntary organisations, all intermediate communities. This definition leaves opens the dilemma whether market as well belongs to civil society.

(4) It is also argued that civil society are relationships and are institutions that have not been created by the State. And which are not controlled by the State.

(5) So what is basically the role of civil society? Civil society is there to help us to get hold of our lives, to take our fate in our hands, to consolidate our trust in social relationships." The role of civil society is to make us understand what active citizenship is. «

### **Participation in civil society is possible through taking on different social roles**

In family our roles are those of mother, father, son, daughter, grand daughter etc. In companies we are related to civil society by donating money, by philanthropic ventures, we can be corporate volunteers donating time, money, knowledge to some humanitarian organisations.

*Civil society and the State are separated but they also go hand in hand.* There are only few activities of civil society that do not get some kind of subvention from the State. There are few organisations that are not obliged to comply with the rules imposed by the State:

- families whose income taxes can be deducted
- societies that are subsidised
- institutes that are subsidized, etc.

Additionally, civil society should by no means be considered as anarchy. It is not the world of total freedom, with no constraints put on by the State. In the legal state civil society is regulated by the law.

### **History of the concept of civil society**

*Today's understanding of civil society was initiated in the 17th century by John Locke's writings* ( Seligman 1993). The realm of freedom was put in focus.

Hegel argues that civil society is outside family, but market is within civil society. Today, there are many who would like to see market within civil society. Why is it so? Capitalism affects all sectors of society not only the private sector but also the State and Civil sector.

One thing is clear: civil society is not about mercantile relationships. They are not for profit. Life that goes on within family, the circle of friends, neighbourhoods, town areas, with activities like volunteering, artistic creation, donating knowledge etc. Develop differently. These activities are not about buying, they are about donating, contributing, participating. In tune with these beliefs, contemporary civil society is:

Civil society is a social space normally without political or economic objectives. It is a place of creation and transmission of culture and mutual donating. It is an idea about how human relations can be improved. It is an idea of better relationships between citizens and the State.

### **It is where private, individual interest and the interest of society meet**

Civil society largely dwells upon volunteering.

There should be moral beliefs and values and civility should not be imposed, a result of manipulation, money rewards. (Wolfe, 1989, p. 233).

Things happen in civil society only if we manage to convince, if common spirit is created, if knowledge is passed on.

For some time civil society equated with market. Market was believed to be able to set up processes for creating democratic institutions. Today there is struggle between the State and the market. Since capitalism is dangerous for the State, the State is getting ever more linked with civil society and progressive social movements are getting ever more connected with political issues like equality, equal rights for all, etc. issues that normally were the issues of the State.

Nevertheless it is clear that civil society and market have no connections at all. Civil society dwells upon mutuality, not competitiveness.

### **What makes a community of solidarity exist?**

Alexis de Tocqueville argues that civil society is founded on communities of solidarity. They exist if:

*there is awareness about their existence,*

*If there is a public opinion about them ,*

*If their culture is specific and distinct ,*

*If they comply with democratic rules in work in democratic ways of taking decisions*

*If they are organised on the basis of equality,*

*If they have a continuous relationship with public media.*

They are characterised by civility, respect, equality, and critical thinking .

Well, do such a community of solidarity exist? No, there is only a tendency towards such communities.

Civil organisations are:

(1) organised

(2) private

(3) not sharing profit

(4) self organised,

(5) self governed

(6) largely voluntary

### **Civil society's ethics**

Civil society is characterised by community. It works for public good. It meets public interest and needs.

Today the public sphere is getting narrower and processes of identification with this sphere are affected. What we get instead is immoral familiarism that prevents people from contributing beyond their family circle. Immoral familiarism is a sign of

poor adaptation to too numerous changes. One gets uncertain and one feels they should take care about themselves and public good is just too abstract for them. Amoral familiarism slows down socio-economic development. It also exists in societies with great inequality.

### **Civil society organisations are self-organised.**

*Quite often the civil society concept is not understood.* Civil society is self-organised but it has some determining features that can be identified in companies as well:

- the number of members
- organisation of work (employees, volunteers
- access to resources
- the control of work
- leadership

The number of members is important since it fosters the feeling of belonging.

The area of activities (professional societies, firemen societies, cultural societies) shapes the nature of a civil society.

All organisations have certain types of collective resources. The access to these resources impact the members' wish to stay with the organisation. In all organisations there are supervisory bodies since the resources are collective.

### **Voluntary organisations**

Voluntary organisations are most typical organisations of civil society. Members can always quit, they cannot be made to do things. Being a member of a voluntary organisation means experiencing equality and democracy but equality stimulates people to judge, select, take decisions on their own argues Tocqueville Tocqueville, p. 240)

Some believe that social movements are the right form of civil society organisation. They are more open.

### **Interconnectivity is today the right thing**

Networks are more open built on trust. Networks of mutual help are an alternative to the State. The relationships are reciprocal more personal, exclusive because one has to know the members to be admitted.

### **Conclusion**

Civil organisations are different. They carry freedom. They improve life. They prepare us for active citizenship. They are space and arena of relationships between the household and the State. Civil organisations are not based on mercantile relationships. They are much more, they are meant to improve society.

They step in where the State and the market are short of fail. Moreover they identify the needs and meet them. Currently, the good functioning of our societies still depends on the three sectors: *the State, the Private Sector and the Civil Sector*. *Civil sector was one of the great social innovations of the 20 century though often left in shadow*. This sector has been systematically neglected and the economic and research data did not reveal its existence. Therefore civil society sector was defined in restrictive way. One could learn what civil society was not and not what civil society was. The source of income is not the sole difficulty. A much greater difficulty is of *conceptual or ideological nature*. Given the great number of different organisations of the civil sector, there is a tendency to emphasise their differences and not their common characteristics.

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